

REMARKS

IDS

Applicant respectfully notes that the Examiner did not include, in his list of the references cited in the Information Disclosure Citation, most of the references cited by the Applicant in its Information Disclosure Statements filed on October 20, 1999; January 11, 2001; October 11, 2001; and October 29, 2001. Applicant requests that Examiner make these cited references part of the record. For Examiner's convenience a summary copy of all of the references cited in the past four IDSs is attached to this Response.

Rejections Generally

Claims 2-5 are pending in this application. Claim 1 has been canceled. Claims 3 and 4 have been amended. The Examiner entered a rejection under 35 U.S.C. § 102(e) as to Claims 2-5 (the rejection to Claim 1 is moot in view of the cancellation of that claim). A discussion of this rejection follows.

Rejection Under 35 U.S.C. § 102

The Examiner rejected Claims 2-5 under 35 U.S.C. § 102(e), based upon Barney (U.S. 6,212,512). The Examiner contends that Barney teaches "*at least one pointer corresponding to a location associated with a plurality of objects in said underlying file system, said objects comprising at least a first object and a second object, wherein said plurality of objects comprise one or more of the following: a text file (Protection List Text File, col. 6, lines 44-55 and Figure 4), music file, multimedia file, compressed file, uniform resource locator, contact, memo, bulletin board posting, or calendar.*"

Applicant has copied the portion of Barney, cited by the Examiner, to compare it to the stated rejection.

Arrow 220 shows that Shell Extension 204 also adds the file name and full path of each of the selected files to the Protection List Text File ...and stores it on Primary Storage Device 112....

This paragraph merely indicates that the filename/paths for these files may be stored as pointers to the Protection List Text File, which is stored in some memory. Figure 4, also cited by the Examiner, clearly shows a traditional Windows folder/file tree hierarchy in which files comprise the children of a given folder.

Applicant's invention differs from the typical folder/file tree hierarchy as depicted in Figure 1 (110, 120, 130) and Paragraph 65. Here, one may see, for example, that a file may comprise the "root" of the tree with a "child" folder and a "grand-child" contact. Referring to Paragraph 65 of the Application, the Applicant states:

[T]he GUI represents files/objects (leaves) as containers for other files or directories/folders.

This differentiation is defined in the claims. In Claim 2, Applicant claims [emphasis added]:

A computerized file system comprising ...at least one pointer corresponding to a location associated with a plurality of objects in said underlying file system, said objects comprising at least a first object and a second object, wherein said plurality of objects comprise one or more of the following: a text file, music file, multimedia file, compressed file, uniform resource locator, contact, memo, bulletin board posting, or calendar; ... a graphical user interface which

provides a manipulable display wherein ... said second object may be manipulated and displayed as a virtual child of said first object.

Applicant identifies objects as those types of entities which, traditionally, have comprised “children” but not “parents” or “containers” in a file system. The Barney reference, furthermore, teaches away from Applicant’s invention at Column 9, Lines 57-62:

Double clicking on any now displayed folder item will cause the next level of content to be populated and displayed, which may contain files and more folders. Thus, for a file to appear in the Right Pane, all of its parent folders in the tree format up to the root Data Vault Folder Item must be opened.

This citation clearly shows that the cited reference teaches the standard model of files acting only as children of folders. Therefore, the present invention, as defined by the claims herein, is both novel and unobvious over the Barney reference.

Applicant has further amended Claims 3 and 4 to clarify the types of objects utilized by the invention. Antecedent basis for these amendments may be found in Claim 2 of the Application as well as Paragraph 17 of the Application.

Therefore, it is believed that the claims are now in condition for allowance and Applicant requests the Examiner to withdraw the rejection and allow the claims currently pending in the present application.

Conclusion

In light of the arguments and amendments made herein, it is respectfully submitted that the claims of the present application meet the requirements of patentability under 35 U.S.C. §102. Accordingly, reconsideration and allowance of these claims are earnestly solicited. Applicant’s undersigned attorney has made a good faith effort to amend the claims so as to meet

the patentability concerns raised by the Examiner in the current Office Action. If the Examiner feels that any additional modifications are necessary prior to the issuance of a notice of allowance, he is invited to call the Examiner's undersigned attorney at the phone number given below so that those specific issues can be worked out.

Respectfully submitted,

VALIYOLAH TADAYON, ET AL.

CERTIFICATE OF MAILING	
I hereby certify that a copy of this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on	
<u>Aug. 4</u>	<u>2004</u>
<u>Sarah Abraham</u>	
Sarah Abraham	

By Ria Farrell Schlnat
Ria Farrell Schlnat
Registration No. 47,058
Attorney for Applicants
FROST BROWN TODD LLC
2200 PNC Center
201 East Fifth Street
Cincinnati, Ohio 45202
(513) 651-6167